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July 1, 2020

Anne M. Cooper
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Via Email

Mr. Michael Constantino
Illinois Health Facilities and Services Review
Board
525 West Jefferson Street, 2nd Floor
Springfield, Illinois 62761

Re: Advantage Health Care, Ltd. (Proj. No. 20-021)

Dear Mr. Constantino:

This letter is written in connection with the above referenced project, Advantage Health Care, Ltd. Specifically, this certificate of need application is being modified to add otolaryngology and plastic surgery. This letter constitutes a Type B modification to the pending CON application for Advantage Health Care, Ltd. pursuant to Section 1130.650(b) of the HFSRB rules.

We have included the following items with this submission:

- Updated Project Services Utilization (Attachment – 15);
- Updated Service Demand- Additional ASTC Services (Attachment – 24B);
- Updated Treatment Room Need Assessment (Attachment – 24C);
- Updated Unnecessary Duplication/Maldistribution (Attachment – 24E);
- Updated Procedures List (Attachment – 24G); and
- Physician Referral Letter from Lawrence Martin, M.D. (Appendix – 1).

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Atlanta	Boston	Chicago	Dallas	Denver	Houston	Kansas City	Los Angeles	Miami	Nashville	New York
Phoenix	St. Louis	San Francisco	Seattle	Silicon Valley	Washington, D.C.	Wilmington				

Polsinelli PC, Polsinelli LLP in California

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Mr. Michael Constantino
July 1, 2020
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Thank you for your time and attention to this matter. If you have any questions regarding any of the materials submitted, please feel free to contact me

Sincerely,

A handwritten signature in black ink that reads "Anne M. Cooper".

Anne M. Cooper

Attachments

SECTION V. SERVICE SPECIFIC REVIEW CRITERIA

This Section is applicable to all projects proposing the establishment, expansion or modernization of categories of service that are subject to CON review, as provided in the Illinois Health Facilities Planning Act [20 ILCS 3960]. It is comprised of information requirements for each category of service, as well as charts for each service, indicating the review criteria that must be addressed for each action (establishment, expansion, and modernization). After identifying the applicable review criteria for each category of service involved, read the criteria and provide the required information APPLICABLE TO THE CRITERIA THAT MUST BE ADDRESSED:

G. Non-Hospital Based Ambulatory Surgery

Applicants proposing to establish, expand and/or modernize the Non-Hospital Based Ambulatory Surgery category of service must submit the following information.

ASTC Service
<input type="checkbox"/> Cardiovascular
<input type="checkbox"/> Colon and Rectal Surgery
<input type="checkbox"/> Dermatology
<input type="checkbox"/> General Dentistry
<input type="checkbox"/> General Surgery
<input type="checkbox"/> Gastroenterology
<input type="checkbox"/> Neurological Surgery
<input type="checkbox"/> Nuclear Medicine
<input checked="" type="checkbox"/> Obstetrics/Gynecology
<input type="checkbox"/> Ophthalmology
<input type="checkbox"/> Oral/Maxillofacial Surgery
<input type="checkbox"/> Orthopedic Surgery
<input checked="" type="checkbox"/> Otolaryngology
<input checked="" type="checkbox"/> Pain Management
<input type="checkbox"/> Physical Medicine and Rehabilitation
<input checked="" type="checkbox"/> Plastic Surgery
<input type="checkbox"/> Podiatric Surgery
<input checked="" type="checkbox"/> Radiology
<input type="checkbox"/> Thoracic Surgery
<input checked="" type="checkbox"/> Urology
<input type="checkbox"/> Other _____

3. READ the applicable review criteria outlined below and **submit the required documentation for the criteria:**

APPLICABLE REVIEW CRITERIA	Establish New ASTC or Service	Expand Existing Service
1110.235(c)(2)(B) – Service to GSA Residents	X	X
1110.235(c)(3) – Service Demand – Establishment of an ASTC or Additional ASTC Service	X	
1110.235(c)(4) – Service Demand – Expansion of Existing ASTC Service		X
1110.235(c)(5) – Treatment Room Need Assessment	X	X
1110.235(c)(6) – Service Accessibility	X	
1110.235(c)(7)(A) – Unnecessary Duplication/Maldistribution	X	
1110.235(c)(7)(B) – Maldistribution	X	
1110.235(c)(7)(C) – Impact to Area Providers	X	
1110.235(c)(8) – Staffing	X	X
1110.235(c)(9) – Charge Commitment	X	X
1110.235(c)(10) – Assurances	X	X
APPEND DOCUMENTATION AS <u>ATTACHMENT 24</u>, IN NUMERIC SEQUENTIAL ORDER AFTER THE LAST PAGE OF THE APPLICATION FORM.		

Section IV, Project Scope, Utilization, and Unfinished/Shell Space
Criterion 1110.120 - Project Services Utilization

The ASTC's annual utilization shall improve to be closer to the State Board's utilization standard. Importantly, Advantage is not adding capacity to the planning area, but is trying to increase utilization of its existing surgery center to be closer to the State Board standard by adding cases. The Applicant performed 889 procedures (or 1,556 surgical hours) in 2019. As documented in the physician referral letters attached at Appendix – 1, Dr. Paramjit Chopra anticipates referring 10 pain management and 157 interventional radiology cases and Dr. Lawrence Martin anticipates referring 15 ENT and 15 plastic/reconstructive surgery cases to Advantage within the first year after project completion. Based upon Dr. Chopra's and Dr. Martin's current experience, additional estimated surgical hours, including prep and cleanup, in the first year after project completion are as follows:

Surgical Specialty	Projected Referrals	Estimated Surgical Time	Estimated Total Surgical Hours After First Year Project Completion
Interventional Radiology	157	3.00 hours	471.00 hours
Pain Management	10	1.25 hours	12.50 hours
Otolaryngology	15	1.25 hours	18.75 hours
Plastic Surgery	15	2.2 hours	33.00 hours
Total	197		535.25 hours

Section V, Service Specific Review Criteria
Non-Hospital Based Ambulatory Surgery
Criterion 1110.235(c)(3) – Service Demand-Additional ASTC Service

The physician referral letters providing the number of patients referred to health care facilities within the past 12 months and the projected number of referrals to the surgery center are attached at Appendix - 1. A summary of the physician referral letters is provided in Table 1110.235(c)(3) below.

Table 1110.235(c)(3)		
Hospital/ASTC	Cases Performed in the Last 12 Months	Anticipated Referrals to Advantage
Michigan Avenue Center for Health	277	167
Northwest Community Hospital	1,347	30
Total	1,627	197

Section V, Service Specific Review Criteria
Non-Hospital Based Ambulatory Surgery
Criterion 1110.235(c)(5) Treatment Room Need Assessment

- a. Pursuant to Section 1100.640(c) of the State Board's rules, ambulatory surgical treatment centers should operate 1,500 per room per year (including setup and cleanup time). Advantage currently has two operating rooms with a capacity for 3,000 hours per year. In 2019, 889 surgical procedures (or 1,556 surgical hours) were performed at Advantage. Based on Dr. Chopra's and Dr. Martin's referral letters, the Applicant projects 197 cases (or 535.25 surgical hours) will be referred to Advantage.
- b. The Applicant estimates the average length of time will be 2 surgical hours and 1 hour for prep and clean up for a total of 3 hours per interventional radiology procedure; .9 surgical hours and .35 hours for prep and clean up for a total of 1.25 hours per pain management procedure; .9 surgical hours and .35 hours for prep and clean up for a total of 1.25 hours per otolaryngology procedure; 1.75 surgical hours and .45 hours for prep and clean up for a total of 2.20 hours per plastic surgery procedure.

Section V, Service Specific Review Criteria
Non-Hospital Based Ambulatory Surgery
Criterion 1110.235(c)(7), Unnecessary Duplication/Maldistribution

1. Unnecessary Duplication of Services

- a. Advantage will remain in its current location at 203 East Irving Park Road, Wood Dale, Illinois. A map of the proposed facility's market area is attached at Attachment – 24A. A list of all zip codes located, in whole or in part, within a 10 mile radius of Advantage as well as the 2018 U.S. Census estimates figures for each zip code is provided in Table 1110.235(c)(7)(A).

Table 1110.235(c)(7)(A)(i)		
Population within Geographic Service Area		
Zip Code	City	Population
60004	Arlington Heights	50,915
60005	Arlington Heights	29,539
60007	Elk Grove Village	33,420
60008	Rolling Meadows	21,833
60016	Des Plaines	59,637
60018	Des Plaines	30,386
60056	Mount Prospect	55,250
60068	Park Ridge	37,736
60070	Prospect Heights	16,049
60101	Addison	39,216
60104	Bellwood	1,899
60106	Bensenville	20,462
60108	Bloomingtondale	22,766
60126	Elmhurst	48,410
60131	Franklin Park	18,025
60133	Hanover Park	38,400
60137	Glen Ellyn	38,279
60139	Glendale Heights	34,364
60143	Itasca	10,996
60148	Lombard	52,963
60153	Maywood	23,810
60154	Westchester	16,573
60155	Broadview	7,829
60157	Medinah	2,502
60160	Melrose Park	25,412
60162	Hillside	8,165
60163	Berkeley	5,161
60164	Melrose Park	21,600
60165	Stone Park	4,923
60169	Hoffman Estates	33,667
60171	River Grove	10,148
60172	Roselle	24,551

Table 1110.235(c)(7)(A)(i) Population within Geographic Service Area		
Zip Code	City	Population
60173	Schaumburg	12,162
60176	Schiller Park	11,704
60181	Villa Park	28,801
60187	Wheaton	29,708
60191	Wood Dale	14,147
60193	Schaumburg	40,248
60194	Schaumburg	18,946
60195	Schaumburg	5,568
60305	River Forest	11,064
60523	Oak Brook	10,136
60630	Chicago	57,344
60631	Chicago	29,529
60634	Chicago	75,995
60656	Chicago	27,579
60706	Harwood Heights	23,301
60707	Elmwood Park	43,019
60714	Niles	29,743
Total		1,313,880

United States Census Bureau, 2018: ACS 5-Year Estimates Data Profiles *available at* <https://data.census.gov/cedsci/table?tid=ACSDP1Y2018.DP05> (last visited Apr. 24, 2020).

- b. A list of all existing and approved surgery centers located within the Advantage GSA are identified in the table below.

Table 1110.235(c)(7)(A)(ii) Facilities within 10 Miles of Advantage Health Care			
Facility Name	Address	City	Straight-Line Distance (Miles)
Dupage Eye Surgery Center	2015 N Main St	Wheaton	8.69
DMG Surgical Center	2725 S Technology Drive	Lombard	8.65
The Oak Brook Surgical Centre	2425 W 22nd St	Oak Brook	8.07
Loyola Surgery Center	1S224 Summit	Oakbrook Terrace	5.04
OrthoTec Surgery Center	340 W Butterfield Rd	Elmhurst	6.82
Rush Oak Brook Surgery Center	2011 York Rd	Oak Brook	8.12
Elmhurst Outpatient Surgery Center	1200 S York Rd	Elmhurst	7.09
Children's Outpatient Services at Westchester	2301 Enterprise Dr	Westchester	8.70
River Forest Surgery Center	7427 W Lake Street	River Forest	9.82

Table 1110.235(c)(7)(A)(ii) Facilities within 10 Miles of Advantage Health Care			
Facility Name	Address	City	Straight-Line Distance (Miles)
Elmwood Park Same Day Surgery	1614 North Harlem Ave	Elmwood Park	9.40
Advanced Ambulatory Surgical Center	2333 N Harlem Ave	Chicago	9.08
Belmont/Harlem Surgery Center	3101 N Harlem Ave	Chicago	8.80
Schaumburg Surgery Center	929 W Higgins Road	Schaumburg	9.00
Aiden Center for Day Surgery	1580 W Lake Street	Addison	2.88
Illinois Hand & Upper Extremity Center	515 West Algonquin Road	Arlington Heights	5.91
Northwest Surgicare	1100 W Central Rd	Arlington Heights	7.24
Northwest Community Day Surgery Center	675 W Kirchhoff Rd	Arlington Heights	7.42
Northwest Endo Center	1415 S Arlington Heights Road	Arlington Heights	6.59
Northwest Community Foot and Ankle Center	1455 Golf Rd	Des Plaines	7.68
Presence Lakeshore Gastroenterology	150 River Road	Des Plaines	7.52
Uropartners Surgery Center, LLC	2750 S River Rd	Des Plaines	6.25
Golf Surgical Center, LLC	8901 Golf Road	Des Plaines	9.05
Adventist GlenOaks Hospital	701 Winthrop Ave	Glendale Heights	5.47
Elmhurst Memorial Hospital	155 E Brush Hill Rd	Elmhurst	7.26
Gottlieb Memorial Hospital	701 W North Ave	Melrose Park	7.76
Alexian Brothers Medical Center	800 W Biesterfield Rd	Elk Grove Village	3.59
Northwest Community Hospital	800 W Central Road	Arlington Heights	7.22
Lutheran General Hospital – Advocate	1775 Dempster Street	Park Ridge	8.36
Presence Resurrection Medical Center	7435 W Talcott Ave	Chicago	8.46

2. Maldistribution of Services

Expansion of services at Advantage will not result in a maldistribution of services. A maldistribution exists when an identified area has an excess supply of surgical/treatment rooms characterized by such factors as, but not limited to: (1) ratio of surgical/treatment rooms to population exceeds one and one-half times the State Average; (2) historical utilization of existing surgical/treatment rooms is below the State Board's utilization standard; or (3) insufficient population to provide the volume or caseload necessary to utilize the services proposed by the project at or above utilization standards.

- a. Ratio of operating rooms to population.

As shown in Table 110.235(c)(7)(B)(i), the ratio of population to operating/procedure rooms is 84% of the State Average.

TABLE 110.235(c)(7)(B)(ii) Ratio of Surgical/Treatment Rooms to Population				
	Population	Operating/ Procedure Rooms	Rooms to Population	Standard Met?
Geographic Service Area	1,313,880	238	1:5,521	YES
State	12,741,080	2,739	1:4,652	

b. Historical Utilization of Existing Health Care Facilities

There are 30 existing or approved health care facilities located within 10 miles of Advantage. Utilizing hospitals for procedures that can be safely performed in an outpatient surgery center is not an efficient use of scarce health care resources. A 2013 article in the New York Times noted the escalation in health care costs is largely attributed to high prices charged by hospitals.¹ This article highlighted that hospitals are the most powerful players in a health care system that has little or no price regulation in the private market. Prices set by hospitals are discretionary and not connected to underlying costs or market prices. Further, according to the March 2020 MedPac Report to Congress, Medicare payment rates for most ambulatory surgical procedures performed in HOPDs are much higher than in surgery centers. For 2020, Medicare rates are 98% higher in HOPDs than surgery centers.²

While there are 23 licensed ASTCs within the Advantage GSA, only one ASTC offers the same complement of surgical specialties as proposed for Advantage; however, it does not provide Medicaid or charity care. Advantage serves an economically disadvantaged community with a significant minority population. According to the 2018 U.S. Census Bureau estimate, 8% of residents of the Advantage GSA live at or below the FPL.³ Lack of health care access and education, and poverty has created health inequities in this community. Health inequities are differences in population health status and health conditions arising from social and economic inequalities. Further, Advantage serves a HRSA medically underserved population. A medically underserved population is a population living in a defined geographic area with a shortage of primary care services and may face economic, cultural or linguistic barriers to health care. Advantage seeks to improve access to much needed health care services to this population. Accordingly, there are no options within the Advantage GSA for its most vulnerable patients.

c. Sufficient Population to Provide the Necessary Volume or Caseload

The Applicant currently operates an ASTC with two operating rooms and proposes to add interventional radiology and pain management to increase its utilization closer to the State Board's standard of 1,500 surgical hours per operating/procedure room. In 2019, 889 surgical procedures (or 1,556 surgical hours) were performed at Advantage. Based on Dr. Chopra's and Dr. Martin's referral letters, the Applicant projects 197 cases (or 535.25 surgical hours) will be referred to Advantage. Accordingly, there is sufficient population to provide the volume necessary to utilize the operating rooms proposed by the project.

3. Impact on Other Health Care Facilities

- a. Expansion of surgical services at Advantage will not have an adverse impact on existing health care facilities in the GSA. No existing ASTC within the Advantage GSA provides the same complement of services proposed at Advantage and serves the economically disadvantaged and medically underserved population at the same levels as Advantage.
- b. Advantage will not lower the utilization of other area providers that are operating below the occupancy standards.

¹ Elisabeth Rosenthal, *As Hospital Prices Soar, a Stitch Tops \$500*, N.Y. TIMES, Dec. 2, 2013

² Medicare Payment Advisory Commission, Report to the Congress: Medicare Payment Policy 147 (Mar. 13, 2020) *available at* http://www.medpac.gov/docs/default-source/reports/mar20_medpac_ch5_sec.pdf?sfvrsn=0 (last visited April 27, 2020).

³ U.S. Census Bureau, American Community Survey, Poverty Status in the Past 12 Months *available at* <https://data.census.gov/cedsci/table?q=poverty%20illinois&g=0400000US17&tid=ACST1Y2018.S1701&t=Poverty> (last visited May 6, 2020).

**Ear, Nose, Throat and Plastic Surgery
Procedures**

CPT CODES	DESCRIPTION
11421	EXCISION BENING LESION NECK -0.6-1.0 CM
11440	EXCISION BENING LESION UP TO 0.5 CM
12031	WOUND REAIR - SCALP-2.5
12052	LAYER CLOSURE WOUNDS OF FACE 2.6-5.0 CM
12053	LAYER CLOSURE WOUND OF FACE 5.0-7.5 CM
13151	REPAIR FACIAL WOUND COMPLEX 1.1-2.5 CM
13152	REPAIR FACIAL WOUND COMPLEX 2.6-7.5 CM
14021	EXC SCALP LES WITH GRAFT 10 CM+
14040	ADVANCEMENT FLAP RECONSTRUCTION - FACE
14060	ADVANCEMENT FLAP RECONSTRUCTION
15260	FULL THICKNESS SKIN GRAFT - NOSE/EAR
15630	DELAY REPAIR EYELID NOSE, EARS, LIP

**Ear, Nose, Throat and Plastic Surgery
Procedures**

CPT CODES	DESCRIPTION
15731	INTERPOLATED PARAMEDIAN FOREHEAD FLAP
15733	MYOCUTANEOUS FLAP RECONSTRUCTION
15740	ISLAND FLAP PEDICLE RECONSTRUCTION
15821	BLEPHAROPLASTY-LOWER EYELID-EXTENSIVE
15822	BLEPHAROPLASTY UPPER EYELID
15828	FACELIFT
17000	DESTRUCTION LESION ANY METHOD
1MS	MINOR SURGERY
21235	CARTILAGE GRAFT EAR TO NOSE OR EAR
21330	OPEN REDUCTION NASAL FRACTURE/NAR
21501	I & D ABSCESS/HEMATOMA SOFT TISSUE NECI
21555	EXCISION LESION SOFT TISSUE NECK

**Ear, Nose, Throat and Plastic Surgery
Procedures**

CPT CODES	DESCRIPTION
30140	TURBINOPLASTY
30410	RHINOPLASTY - COMPLETE
30430	RHINOPLASTY; MINOR REVISION
30465	NASAL VALVE RECONSTRUCTION
30520	SEPTOPLASTY/NASAL AIRWAY RECONSTRUCTION
30901	CONTROL NSL.HEM.SIMPLE UNILATERAL ANT
30903	CONTROL NSL. HEM. COMPLEX UNILAT
30905	CONTROL NSL. HEM. POSTERIOR PACK INITIAL
31237	POLYPECTOMY/ENDOSCOPIC/NASAL
31238	NASAL ENDOSCOPY/CONTROL OF EPISTAXIS
31240	ENDOSCOPY WITH CONCHAL BULLOSA RESECT
31254	NASAL ENDOSCOPY/ETHMOIDECTOMY-PARTIAL

**Ear, Nose, Throat and Plastic Surgery
Procedures**

CPT CODES	DESCRIPTION
31255	NASAL ENDOSCOPY-ETHMOIDECTOMY-COMPLE
31256	NASAL ENDOSCOPY/MAXILLARY ANTROSTOMY
31267	ENDOSCOPIC SINUS SURGERY
31536	LARYNGOSCOPY WITH MICROSCOPE/BIOPSY
40812	EXCISION LEASION MUCOSA WITH REPAIR
42260	NASOLABIAL FISTULA REPAIR
42420	EXC. PAROTID TUMOR TOTAL W/FAC.NERV.DIS
42700	I & D PERITONSILLAR ABSCESS
42808	EXCISION LESION OF PHARYNX
42826	TONSILLECTOMY AGE 12 OR OVER
67950	CANTHOPLASTY
69005	I & D AURICULAR ABSCESS

Ear, Nose, Throat and Plastic Surgery Procedures

CPT CODES	DESCRIPTION
69200	REMOVAL F.B. EXTERNAL EAR CANAL
69300	OTOPLASTY
69420	MYRINGOTOMY - UNILATERAL
69421	MYRINGOTOMY WITH TUBES - GEN ANEST
69433	TYMPANOSTOMY/TUBE UNILATERAL
69436	TYMPANOSTOMY/TUBE UNILATERAL GEN.ANES

Lawrence Martin, MD.
1430 N Arlington Heights Road
#214
Arlington Heights, IL 60004

Debra Savage
Illinois Health Facilities and Services Review Board
525 West Jefferson Street, 2nd Floor
Springfield, Illinois 62761

Dear Ms. Savage:

I am an Ear, Nose, Throat [ENT] and Plastic surgeon. I am writing in support of the establishment of Advantage Health Care, Ltd. Outpatient ENT, and plastic/reconstructive surgery cases will constitute majority of my work in the future.

Over the past twelve months (from April 1, 2019 to March 31, 2020), for the zip codes listed on Exhibit 1, I performed a total of 1347 outpatient surgical procedures at the following hospitals and surgery centers. With the opening of the proposed Advantage Health Care, Ltd td, I expect to refer my cases as noted below. Of the total cases, 98 percent will reside within the proposed geographic service area Advantage Health Care, Ltd.

Hospital / Licensed ASTC	Hospital and Licensed ASTC (number of cases) Most recent 12 months	Projected Referrals to [Name of Surgery Center] after Project Completion
Northwest Community Hospital	1347	30
Total	1347	30

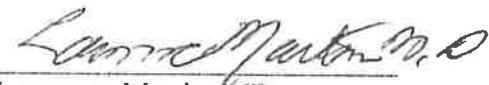
Ms. Debra Savage
March 30, 2020
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These referrals have not been used to support another pending or approved certificate of need application.

The information in this letter is true and correct to the best of my knowledge.

I support the establishment Advantage Health Care, Ltd.

Sincerely,


Lawrence Martin, MD.
1430 N Arlington Heights Road
#214
Arlington Heights, IL 60004

Subscribed and sworn to me
This 23rd day of JUNE, 2020


Notary Public



Exhibit 1
Referrals by Patient Zip Code

ENT	
Zip Code	Number of Cases
60004	215
60005	88
60007	34
60008	56
60010	43
60011	1
60012	2
60013	4
60014	7
60015	4
60016	14
60018	13
60020	2
60021	4
60025	4
60026	1
60030	4
60031	1
60035	1
60042	1
60043	1
60044	1
60045	2
60046	2
60047	44
60048	8
60050	2
60051	2
60056	87
60060	7
60061	4
60062	10
60067	105

ENT	
Zip Code	Number of Cases
60068	3
60069	6
60070	33
60071	1
60073	6
60074	69
60075	1
60076	3
60077	1
60078	2
60083	1
60084	4
60085	2
60089	46
60090	57
60091	1
60093	2
60095	1
60101	4
60102	2
60103	11
60107	36
60108	4
60110	3
60118	6
60120	12
60123	7
60124	2
60131	1
60133	19
60136	1
60137	3
60139	5

ENT	
Zip Code	Number of Cases
60140	1
60141	1
60142	9
60143	5
60147	1
60148	2
60152	2
60156	6
60157	2
60169	26
60172	7
60173	16
60175	1
60177	3
60178	1
60185	1
60187	1
60188	1
60189	1
60191	2
60192	9
60193	29
60194	19
60195	9
60197	1
60202	1
60423	2
60440	2
60451	1
60463	1
60467	1
60503	1
60518	1

ENT	
Zip Code	Number of Cases
60522	1
60523	2
60527	2
60532	1
60541	1
60563	1
60610	1
60612	1
60613	1
60614	3
60618	3
60622	3
60625	1
60630	1
60631	3
60634	1
60641	2
60645	1
60646	1
60647	1
60656	1
60657	3
60659	1
60660	1
60661	1
60680	1
60706	1
60707	4
60712	2
60914	1
61008	1
61010	1
61114	2
62401	1

Total	1347
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